CONFIDENTIAL

Dear Howard, 10/22/72

And unpleasant day lies ahead of me tomorrow, helping my nephew who always manages to create situations requiring more help and time. As I was sitting and thinking about it before going to be, I thought of another that has been on my mind for several days. I decided to make a note of it and because of what you heard at Penn and reported, decided to send you a copy. It is not for anyone else. There is enough trouble.

There was a decision very helpful to the Ray habeas corpus in federal appeals court in Washington Thursday. I was fairly certain Bud would miss it and feared that busy as he is, Jim might. After repeated calls to jim's home got no answer, I tried the CHLA and he wasn't there, Then Bud's office, and the secretary said to try after lunch. Generally when this happens Jim call me when he gets in. When he didn't and the working day was ending, I called again and Bud took the phone. He hadn't seen Jim. Nor had he seen the decision. He agrees on its relevance and significance. We then got ot talking.

He said only that Jim was deep in depression, that he was worried about not having a job and an income, and he inferred that Jim's wife is complaining. Bud's attitude was that they could both live well on her income alone (she is a radiologist) and Jim could do the work he loves. Bud said he was afraid he'd have to take the habeas corpus away from Jim and that Bud and I would have to whip it into shape. (He forgot that I've been staying away from him since he pontificated to me that I should work alone. Where he'd be on the case if I did I don't have to tell you.) I said no, that Jim had to have time to finish what hewas into, whatever time he needs, and that after he finished and before the final typing we should all get together on it. To this Bud agreed. He also said Jim would be up to see me a couple of days the week starting tomorrow. Except for the weekend, my own commitments do not permit this, as I didn't tell Bud. Jim will make his own plans, I figured.

But I did tell Bud that never again would I be in a working arrangement like this. I would be in or out, no in between. It was all friendly enough. I said I'd wasted an enormous amount of time for which there is no kind of reward for me, no income, not credit (they put great store in this) and no real satisfaction. I said they would be agreed decisions after we all got together andplanned or I'm out.

He said other things about Jim that are not really relevant. But I found to strange that this man who is wealthy not from anything he had done to earn it suddenly decides that another should live off his wife while working for Bud-entirely free.

Meanwhile, something else happened. I'd been pushing the lawyers to come up with a mechanism for what I called clock-stopping. They feel that the Nashville federal court is a better one for the petition. I thought of several things. They thought of none. The one I thought of they tried and got rejected. I thought no more and they continued to crap around wasting time. Yesterday I got a letter from Jimmy Ray. He has thought of such a mecahnism, inspired by the prospect of being returned to Petros, which is in the jurisdiction of the Knoxville court. So, Jimmy himself filed for a restraining order to prevent his being returned to Knoxville until after his habeas corpus papers are filed. He also did more the lawyers should have. (He is not always right, more often wrong, but this time his average was 100%.) I felt I had to call Jim at home yesterday and I did. We got to talking. His version is a bit different. He has been working for Bud all this time free. Bud is wealthy. Jim wants to be paid for the work he is doing for Bud or says he is going to get a job. I agree with him. His one concern is what the hell will happen if he leaves. This is not ego. Bud is that incompetent and as Jim has come to realize, not believing it when I told him after one observation, Bud is also not a courtroom lawyer. He is very slow on his feet, misses much, too much. Jim, with all he had to do, is now beginning from scratch with the one thing Bud did, a legal memo. It was that awful. Making a worse time bind. Jim is leaving in a week for a radiologists convention in New Orleans. He will come here Thursday at least. He is leaving Bud November 1 or December 2, I've forgotten which. I'll try to talk him into staying until the papers are done to my satisfaction, for if he doesn't, he'll later have deep regrets. And then I'll have a heavier load and will have to have to do with Bud again, which I abominate. Your memo is a slight reflection of why. Meanwhile, Jim can't finish the papers as soon as he plans or someone else is going to have to add things I've found in what Hanes and Hute promised me two years ago, Bud would not send me for, finnaly Jim went for and got, and they are as rich as I'd suspected. Jim coped 700 pages, sent me about 1/3 of this, and I've gone over about 1/3 of them. This kind of powerful stuff simply has to be in the petition, not appendices to it. I'm letting other things go again to comprehend and annotate. There is no end. I'd anticipated something and started to do,